

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

NEW HOPE HOSPITALITY, LLC,	§	
	§	
Plaintiff,	§	
	§	CASE NO. 3:15-CV-02296-B
v.	§	
	§	
EH NATIONAL BANK,	§	
	§	
Defendant,	§	

**PLAINTIFF'S INITIAL DISCLOSURES
PURSUANT TO RULE 26(a)**

To: EH National Bank by and through its counsel of record Mark Stromberg, Stromberg Stock, 8750 N. Central Expressway, Ste. 625, Dallas, Texas 75231.

Pursuant to Federal Rule of Civil Procedure 26, Plaintiff discloses and states:

(a) the name and, if known, the address and telephone number of each individual likely to have discoverable information that the disclosing party may use to support its claims or defenses, unless solely for impeachment, identifying the subjects of the information:

Tarlochan Kataria
6 Sundown Drive
Bellport, NY 11713

Tarlochan Kataria is a Managing Member of New Hope Hospitality, LLC, which is the Plaintiff in this proceeding. Mr. Kataria has knowledge regarding the facts and claims asserted in this lawsuit.

Shevett Labat
EH National bank
9701 Wilshire Blvd.
Beverly Hills, CA 90212

Shevett Labat is EH National Bank's authorized agent to accept service for EH National bank. EH National Bank a/ka/ Excel National Bank is a foreign corporation and the defendant in this case.

(b) a copy of, or a description by category and location of, all documents, data compilations, and tangible things that are in the possession, custody, or control of the party that the disclosing party may use to support its claims or defenses, unless solely for impeachment:

The pleadings filed with the United States Bankruptcy Court Northern District of Texas, cause no. 12-31959-hdh11.

All documents with EH National Bank, which should be in the possession of the Defendant.

All financial documents regarding the pay-off to EH National Bank.

EH National Bank's financial statements within the past five (5) years.

Plaintiffs may provide additional documents not listed as discovery progresses.

(c) a computation of any category of damages claimed by the disclosing party, making available for inspection and copying as under Rule 34 the documents or other evidentiary material, not privileged or protected from disclosure, on which such computation is based, including materials bearing on the nature and extent of injuries suffered; and

New Hope asks the Court for actual damages of at least \$407,868.56; reasonable and necessary attorneys' fees of at least \$25,000.00 together with additional awards in event of appeals; pre-judgment and post-judgment interest at the highest lawful rate; costs of suit; declaration that the Plaintiff has overpaid the Defendant and is entitled to the return of at least \$407,868.56; return of monies wrongfully retained in at least the amount of \$407,868.56; and such other and further relief to which Plaintiff may show itself justly entitled. At this time, Plaintiffs do not have a complete computation of the fees sought in prosecution of this matter.

(d) for inspection and copying as under Rule 34 any insurance agreement under which any person carrying on an insurance business may be liable to satisfy part or all of a judgment which may be entered in the action or to indemnify or reimburse for payments made to satisfy the judgment:

N/A

Dated: October 30, 2015.

Respectfully Submitted By:

/s/ Joyce W. Lindauer
Joyce W. Lindauer
State Bar No. 21555700
Joyce W. Lindauer Attorney, PLLC
12720 Hillcrest Road, Suite 625
Dallas, TX 75230
Telephone: (972) 503-4033
Facsimile: (972) 503-4034
ATTORNEY FOR PLAINTIFF

CERTIFICATE OF SERVICE

I certify that on October 30, 2015, I served a true and correct copy of the foregoing document upon the parties listed below via facsimile:

Mark Stromberg, Stromberg Stock
State Bar No. 19408830
8750 N. Central Expressway, Ste. 625
Dallas, Texas 75231
Phone: (972) 458-5353
Fax: (972) 861-5339
ATTORNEYS FOR EH NATIONAL BANK

/s/ Joyce Lindauer
Joyce Lindauer